



NICOLE D. GALLI
One Liberty Place
1650 Market Street
Suite 3600, #00250
Philadelphia, PA 19103
(215) 525-9583 direct
(215) 525-9585 fax
ndgalli@ndgallilaw.com

August 29, 2022

VIA ECF

Honorable Stephanos Bibas
U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

RE: *Elmagin Capital, LLC v. Chen et al*, No.: 2:20-cv-02576-SB (E.D. Pa.)
Request to Unseal Order at Dkt. 339 and Other Housekeeping Matters

Dear Judge Bibas:

We write on behalf of Defendants respectfully to raise three housekeeping matters with the Court.

First, Defendants respectfully request that the Court unseal the Order entered today at Docket No. 339, as it does not appear to contain any information deemed confidential under the Protective Order [Dkt. 58, order granting Dkt. 13-1].

Second, with respect to the Court's opinion [Dkt. 338], Defendants understand that it should remain under seal pending a potential appeal because the Court's conclusions that the matters there-discussed are not secret might be reversed: a final, public-record version of the Court's opinion is premature prior to the return of the mandate from the Court of Appeals.

A provisional redacted version of the Court's opinion, filed in the near future, would be useful. This litigation has had a continuing adverse effect on Defendants' relations with at least one ISO market. The Court's reasoning will be helpful to ameliorating that impact. Defendants respectfully suggest that Plaintiff should promptly propose a redacted version that reasonably obscures those passages that it claims to reflect trade secrets and/or confidential information while allowing the rest to enter the public record. When the mandate returns, the parties may then proceed on a final, public opinion. (To be clear, although it is for another day, Defendants respectfully submit that if the mandate returns in their favor, a full copy of the decision should be on the public record.)

Finally, Defendants submitted its Notice of Bill of Costs [Dkt. No. 325] on July 8, 2022. We understand that the Clerk is awaiting direction of the Court to issue a schedule for the

Honorable Judge Stephanos Bibas
August 29, 2022
Page 2

taxation of the costs and the submission of any objections pursuant to Local Rule of Civil Procedure 54.1(c). Defendants respectfully request that the Court direct the Clerk to issue such schedule.

Defendants are grateful to the Court for its attention to these matters in light of the many demands on its time. Defendants stand ready to respond to any inquiries or requests from the Court.

Respectfully,



Nicole D. Galli

cc: All Counsel of Record via ECF